

CHAPTER NO. 300

SENATE BILL NO. 128

By Jackson, Miller, Norris, Curtis S. Person, Jr., Beavers, Ramsey, Ketron

Substituted for: House Bill No. 452

By Bittle, Cochran, Russell Johnson, Sharp, Gresham, Vincent, West, Harry Brooks, DuBois, Dunn, Newton, Eldridge, Wood, Hensley, Clem, Casada, Lynn, Black, Stanley, Michael Turner, Pleasant, Phillip Johnson, Baird, Crider, Todd, Harrison, McCord, McDaniel, Kent, Roach, McKee, Rowland, Hargett, Ferguson, Godsey, Davis, McDonald

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 17, Part 13, relative to the validity of certain handgun carry permits.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 39-17-1351(r)(1), is amended by deleting subsection (r) in its entirety and by substituting instead the following:

(r)(1) A facially valid handgun permit, firearms permit, weapons permit or license issued by another state shall be valid in this state according to its terms and shall be treated as if it is a handgun permit issued by this state; provided, however, the provisions of this subsection shall not be construed to authorize the holder of any such out-of-state permit or license to carry, in this state, any firearm or weapon other than a handgun.

(2) For a person to lawfully carry a handgun in this state based upon a permit or license issued in another state, the person must be in possession of the permit or license at all times such person carries a handgun in this state.

(3)(A) The commissioner of safety shall enter into written reciprocity agreements with other states that require the execution of such agreements. The commissioner of safety shall prepare and publicly publish a current list of states honoring permits issued by the state of Tennessee and shall make the list available to anyone upon request. The commissioner of safety shall also prepare and publicly publish a current list of states who, after inquiry by the commissioner, refuse to enter into a reciprocity agreement with this state or honor handgun carry permits issued by this state. To the extent that any state may impose conditions in such reciprocity agreements, the commissioner of safety shall publish those conditions as part of the list. If another state imposes conditions on Tennessee permit holders in a reciprocity agreement, such conditions shall also become a part of the agreement and apply to the other state's permit holders when they carry a handgun in this state.

(B) If a person with a handgun permit from another state decides to become a resident of Tennessee, such person must obtain a Tennessee handgun permit within six (6) months of establishing residency in Tennessee. Such permit may be

issued based on the person having a permit from another state provided such other state has substantially similar permit eligibility requirements as this state. However, if during such six (6) month period the person applies for a handgun permit in this state and such application is denied, the person shall not be allowed to carry a handgun in this state based upon the other state's permit.

(C)(i) If a person who is a resident of and handgun permit holder in another state is employed in this state on a regular basis and desires to carry a handgun in this state, such person shall have six (6) months from the last day of the sixth month of regular employment in this state to obtain a Tennessee handgun carry permit. Such permit may be issued based on the person having a permit from another state provided such other state has substantially similar permit eligibility requirements as this state. However, if during such six (6) month period the person applies for a handgun permit in this state and such application is denied, the person shall not be allowed to carry a handgun in this state based upon the other state's permit.

(ii) The provisions of this subdivision shall not apply if the state of residence of the person employed in Tennessee has entered into a handgun permit reciprocity agreement with this state pursuant to this subsection.

(iii) As used in this subdivision, "employed in this state on a regular basis" means a person has been gainfully employed in this state for at least thirty (30) hours a week for six (6) consecutive months not counting any absence from employment caused by the employee's use of sick leave, annual leave, administrative leave or compensatory time.

SECTION 2. Tennessee Code Annotated, Section 39-17-1351, is further amended by deleting the first sentence of subsection (b) and substituting instead the language:


"Except as provided in subsection (r) of this section, any resident of Tennessee who has reached twenty-one years of age may apply to the Department of Safety for a handgun carry permit.

SECTION 3. This act shall take effect July 1, 2003, the public welfare requiring it.

PASSED: May 27, 2003



JOHN S. WILDER
SPEAKER OF THE SENATE



JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 11th day of June 2003



PHIL BREDEBEN, GOVERNOR